

The administration of President Ismail Omar Guelleh continued to repress and harass rights activists, journalists, and opposition leaders throughout 2014. In retaliation for the disputed 2013 legislative elections, during which more than 500 opponents were arrested, opposition leaders created a shadow parliament and refused to take up their parliamentary seats while talks were under way with the government. On December 31, the Djiboutian foreign ministry released a statement that representatives of the Union for National Salvation (USN) opposition coalition had agreed to take up their legislative seats in exchange for a series of democratic reforms. The government confirmed that the settlement represents a preliminary framework; an opposition commission would be established to develop a final agreement. The agreement represents the first time the opposition will have a formal presence in the Djiboutian parliament since the introduction of the multiparty system in 1992.

Political Rights and Civil Liberties:

Political Rights: 9 / 40 [Key]

A. Electoral Process: 3 / 12

Djibouti's ruling Union for a Presidential Majority (UMP) coalition party has effectively usurped the state. A constitutional amendment passed by the National Assembly in 2010 removed the two-term limit for the president, reduced presidential terms from six years to five, and specified that candidates must be between the ages of 40 and 75. The changes allowed Guelleh to stand for a third term in 2011. The decision sparked a series of antigovernment protests in which at least two were killed and hundreds arrested, including the leaders of three opposition parties. The 2011 presidential campaign was marred by the harassment of opposition leaders and a clampdown on public gatherings. Guelleh ultimately faced only one challenger and won with 81 percent of the vote.

The 65 members of the unicameral legislature, the National Assembly, are directly elected for five-year terms. The 2010 constitutional changes provided for the formation of a bicameral parliament comprising the existing National Assembly and a newly created Senate, though steps to establish one have yet to be taken.

In February 2013, Djibouti held its first legislative polls contested by the opposition in a decade. In the weeks prior to the election, the USN accused the government of censorship after its websites could not be accessed domestically. Although international observers declared the elections free and fair, the opposition alleged foul play and refuted the official total of 55 seats to the UMP to 10 for the USN. The USN refused to take their seats, but an agreement was reached on December 31, 2014, that would allow them to do so.

B. Political Pluralism and Participation: 3 / 16

Though the Djiboutian constitution provides full political rights, these rights are often ignored in practice. While Djibouti technically has a multiparty political system, the ruling UMP party has seized all state power. Political parties are required to register with the government.

Six political parties joined to form the USN coalition in the run-up to the 2013 legislative elections. Top

USN officials have been repeatedly arrested since the elections. In May 2014, USN spokesman Daher Ahmed Farah was arrested for the 16th time since returning to the country from exile in January 2013. He was imprisoned in five of these instances.

Opposition parties have traditionally been disadvantaged by Djibouti's first-past-the-post electoral system, as well as the government's abuse of the administrative apparatus. Amendments to the electoral law in 2012 awarded 20 percent of seats proportionally, instead of the party that received the majority in a district winning the entirety of that district's seats. In 2013, the 10 seats won by the opposition represented the first time the ruling party had conceded any seats in the National Assembly. Following 18 months of negotiations, the Djiboutian government announced on December 31, and a USN official confirmed, that the USN had agreed to take up their legislative seats in exchange for a series of democratic reforms.

Representatives from minority groups, including the Afar, Yemeni Arabs, and non-Issa Somalis, are represented in all major Djiboutian governance institutions (cabinet, legislature, lower-level bureaucracy, etc.). However, the majority Issa hold more prominent positions in both government and the private sector.

C. Functioning of Government: 3 / 12

The UMP has assumed full control of the state and policy formation.

Government corruption is a serious problem, and efforts to curb corruption have met with little success. Djibouti ranked 107 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, and 35 out of 52 countries ranked in the 2014 Ibrahim Index of African Governance. Though no laws grant citizens access to government information, the government has made legislation publically available and created mechanisms for citizens to request information.

Civil Liberties: 19 / 40 (-1)

D. Freedom of Expression and Belief: 6 / 16 (-1)

Despite constitutional protections, freedom of speech is not upheld in practice. No privately owned or independent media operate domestically, though political parties are allowed to publish a journal or newspaper. The government owns the principal newspaper, *La Nation*, as well as Radio-Television Djibouti, which operates the national radio and television stations. Strict libel laws lead journalists to practice self-censorship.

Approximately 10 percent of the population has access to the internet. While the government typically places few restrictions on internet access, opposition internet radio station La Voix de Djibouti, run by exiles in Europe, was regularly blocked during the 2013 legislative elections and its journalists are routinely targeted for arrest. The website's editor and USN communications officer, Maydaneh Abdallah Okieh, was briefly detained in January 2014 while covering the release of Zakaria Abdillahi, a prominent rights activist and president of the Djiboutian League of Human Rights (LDDH), from prison. Okieh was also arrested in March for covering a USN meeting.

Another La Voix journalist, Mohamed Ibrahim Waïss, was arrested, beaten in custody, and charged with incitement and publishing false news in August after covering a prodemocracy opposition demonstration. He was held for two weeks. Waïss has been a regular target of the Djiboutian government.

Islam is the state religion, and 99 percent of the population is Sunni Muslim. Religious matters are overseen by the Ministry of Islamic Affairs. Legislation enacted in 2013 provides the ministry oversight authority over mosques. The government claimed the new law would be used to counter foreign influence in the country, though it has also been used to monitor the opposition. Security services have questioned imams who gave sermons on political or social justice themes; at least three imams have been imprisoned for giving sermons on political topics.

Academic freedom is generally upheld without restriction. According to the Djiboutian Observatory for the Promotion of Democracy and Human Rights (ODDH), 62 teachers and educational staff have been arrested, allegedly for their affiliation with opposition groups and trade unions. At least 83 educators have had their salaries suspended since October 2013, supposedly for similar associations.

E. Associational and Organizational Rights: 3 / 12

Freedoms of assembly and association are nominally protected under the constitution, but are often not respected in practice. More than 500 opposition figures were arrested for participating in protests following the 2013 legislative elections. Members of the Mouvement des jeunes de l'opposition (MJO) opposition youth organization held demonstrations in Djibouti City in early November 2014. Though the protest proceeded without interference, MJO president and spokesperson Mouhayadine Yacin Mohamed and Said Charmake Darar were arrested in early December and charged with "illegal demonstration," "disturbing public order," and "violence and degradation." *La Voix de Djibouti* reported that the men were held for nearly two weeks. While in custody, both men were reportedly beaten and denied access to medical care.

Local human rights groups who cover politically sensitive matters do not operate freely and are often the target of government harassment and intimidation. In August 2014, the president of the ODDH, Farah Abdillahi Miguil, was prevented from boarding a plane to the United States and had his passport confiscated. This followed his release from prison, where he was detained without access to a lawyer, medical care, or contact with his family for more than a year.

Women's rights groups are the exception to government restrictions; the government generally supports their educational efforts and trainings.

Though workers may legally join unions and strike, the government has been known to intimidate union leadership and obstruct union activities. The government has been accused of meddling in their internal elections and harassing union representatives. It has also frozen union bank accounts and kept unions from receiving external funds from the diaspora and international union rights organizations.

F. Rule of Law: 4 / 16

The judicial system is based on the French civil code, though Sharia (Islamic law) prevails in family matters. The courts are not independent of the government. A lack of resources often delays legal proceedings. Security forces frequently make arrests without a proper decree from a judicial magistrate, in violation of constitutional requirements. Constitutional amendments made in 2010 abolished the death penalty. Prison conditions are harsh, but have improved in recent years.

Allegations of politically motivated prosecutions are common. In 2010, Djiboutian businessman Abdourahman Boreh was convicted in absentia on charges of terrorism. Boreh, an opposition leader who planned to stand against Guelleh in the 2011 presidential elections, received a 15-year prison sentence. The Djiboutian government later froze Boreh's assets on the grounds that he abused his position as chairman of the Djibouti Port and Free Zone Authority for private gain. Boreh is scheduled to appeal one of the cases against him in a London commercial court in 2015. In July 2014, the Djiboutian government confirmed that it has brought a case against DP World, a major port operator, to the London Court of International Arbitration and has rescinded the company's multidecade port concession on the grounds that it "paid bribes and gave other financial incentives to Mr. Boreh" during negotiations for a concession agreement.

Homosexual conduct is criminal under Djiboutian law and there are no laws in place to prevent discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons. Generally, matters of sexual preference or orientation are not discussed publicly.

G. Personal Autonomy and Individual Rights: 6 / 16

There are few employment prospects in the formal sector. Minority ethnic groups and clans suffer discrimination and social and economic marginalization. Higher educational opportunities are also generally limited.

Though the law provides equal treatment for all Djiboutian citizens, women have fewer employment opportunities and are paid less than men for the same work. Women face discrimination under customary practices related to inheritance and other property matters, divorce, and the right to travel. The law prohibits female genital mutilation, but approximately 78 percent of women are believed to have undergone the procedure. An estimated 50 percent of girls now receive primary education following efforts to increase female enrollment. While the law requires at least 20 percent of upper-level public service positions to be held by women, women still hold less than 13 percent of legislative seats and only three of 23 cabinet-level posts.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)